

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2298 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI
and
Hon'ble MR.JUSTICE KUNDAN SINGH

- =====
1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

TALAJA TALUKA CO-OP PURCHASE &SALES UNION LTD
Versus
GUJARAT STATE

Appearance:

MR KG VAKHARIA for Petitioners
MR LR PUJARI, AGP, for Respondent No. 1

CORAM : MR.JUSTICE R.K.ABICHANDANI
and
MR.JUSTICE KUNDAN SINGH

Date of decision: 05/12/2000

ORAL JUDGEMENT

(Per : MR.JUSTICE R.K.ABICHANDANI)

In this petition the petitioners have in paragraph no.7 contended that the provisions of Section 80(2) of the Gujarat Cooperative Societies Act, 1961, are arbitrary and violative of Article 14 and 19 of the Constitution and on that basis apprehending that the Government may appoint Nominees under the said provision, as stated in paragraph no.3 of the petition, have prayed for a direction on the respondents not to appoint such Nominees. The constitutional validity of the provisions of Section 80(2) of the said Act has been upheld by a Division Bench of this Court in AMRELI DISTRICT COOPERATIVE SALE & PURCHASE UNION V. STATE OF GUJARAT reported in 25 (2) GLR at page 1244. The challenge against the said provision is wholly misconceived. The petition is therefore rejected. Rule is discharged with no order as to costs. Ad interim relief stands vacated.

(mohd)